

Appl. No. 10/051,307

REMARKS

Claims 1, 2, 5, 7, 9, 11 and 12 are cancelled. Claims 19 and 21 are amended. Claims 16 and 18-23 are pending in the application.

Applicant acknowledges the Examiner's indicated allowability of the subject matter of claims 16, 18, 20 and 22-23.

An Examiner interview was conducted by telephone on May 16, 2005. Participants of the interview included Jennifer J. Taylor, Examiner Barba Koroma, and Primary Examiner Ashwin Mehta. During the interview, and without admission as to propriety of any rejection set forth in the present Action, it was agreed to cancel rejected claims 1, 2, 5, 7, 9, 11 and 12.

Of the claims that remain pending in the application, claims 19 and 21 stand rejected under 35 U.S.C. § 112. As discussed during the Examiner interview, claim 19 is amended to recite a recombinant gene which comprises a coding region that encodes a product other than the potato pin1 gene product. As also discussed during the interview, claim 21 is amended to recite a transgenic plant cell. It was agreed during the Examiner interview that the amendments of claims 19 and 21 overcome the rejections placing each of claims 19 and 21 in condition for allowance.

Since the claim rejections presented in the application have been overcome by the above discussed amendments and cancellations, the claims pending in the application are in condition for allowance.

Figure 1 stands objected to as having an underlined ATGC sequence at line 10 of the figure which is not addressed in the specification. As discussed in during the Examiner interview, the underlined ATGC at line 10 of Fig. 1 is not relevant to the present application.

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It was agreed during the interview that upon making such irrelevance of record in the application file, the objection would be withdrawn. The present Response suffices to make the irrelevance of the underline ATGC sequence of record. Accordingly, applicant respectfully requests withdrawal of the objection to Fig. 1.

For the reasons discussed above pending claims 16 and 18-23 are allowable. The application is believed to be in condition for immediate allowance. Accordingly, applicant requests formal allowance of the application in the Examiner's next action.

Respectfully submitted,

Dated:

May 17, 2005

By:

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